
HOUSE BILL 2466

State of Washington

63rd Legislature

2014 Regular Session

By Representatives Appleton, Sawyer, Tharinger, Cody, and Santos

Read first time 01/17/14. Referred to Committee on Community Development, Housing & Tribal Affairs.

1 AN ACT Relating to Indian tribes and dental health aide therapy
2 services; adding a new section to chapter 43.70 RCW; adding a new
3 section to chapter 74.09 RCW; and creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that American
6 Indians and Alaska Natives have very limited access to health care
7 services and are disproportionately affected by oral health
8 disparities. These disparities are directly attributed to the lack of
9 dental health professionals in Indian communities. This has caused a
10 serious access issue and backlog of dental treatment among American
11 Indian and Alaska Natives. The legislature also finds that tribal
12 leaders face a significant challenge in recruiting dental health
13 professionals to work in Indian communities that results in further
14 challenges in ensuring oral health care for tribal members.

15 (2) The legislature finds further that there is a strong history of
16 government-to-government efforts with tribes in Washington to improve
17 oral health among tribal members and to reduce the disproportionate
18 number of American Indians and Alaska Natives affected by oral disease.
19 One of the goals in the 2010-2013 American Indian health care delivery

1 plan developed jointly by the department of health and the American
2 Indian health commission is to improve the oral health of tribal
3 members and the ability of tribes to provide comprehensive dental
4 services in their communities. A critical objective to achieving that
5 goal is "to explore options for the use of trained/certified expanded
6 function personnel in order to increase oral health care services in
7 tribal communities."

8 (3) The legislature finds further that sovereign tribal governments
9 are in the best position to determine which strategies can effectively
10 extend the ability of dental health professionals to provide care for
11 children and others at risk of oral disease and increase access to oral
12 health care for tribal members. The legislature therefore intends to
13 authorize dental health aide services, including those of dental health
14 aide therapists, by Indian tribes, tribal organizations, and urban
15 Indian organizations to promote increased dental care access for
16 persons served in these practice settings in accord with the Indian
17 health care improvement act (25 U.S.C. Sec. 16161).

18 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.70 RCW
19 to read as follows:

20 (1) A federally recognized Indian tribe, tribal organization, or
21 urban Indian organization is authorized to train, employ, or contract
22 with or for the services of a dental health aide, including a dental
23 health aide therapist. Any dental health aide, including a dental
24 health aide therapist, employed or contracted to perform services under
25 this section must be certified by either a federal community health
26 aide program certification board or an Indian tribe that has adopted
27 equivalent or higher standards than those imposed by a federal
28 community health aide program certification board regarding curriculum,
29 training, scope of practice, continuing education, and supervision
30 requirements. A federally recognized Indian tribe, tribal
31 organization, or urban Indian organization is also authorized to
32 supervise a dental health aide, including a dental health aide
33 therapist, trained, employed, or contracted to perform services under
34 this section.

35 (2) A dental health aide, including a dental health aide therapist,
36 employed or contracted to perform services under this section may
37 perform only those procedures permitted under standards adopted by a

1 federal community health aide program certification board or an Indian
2 tribe that has adopted equivalent or higher standards than those
3 imposed by a federal community health aide program certification board
4 regarding scope of practice, continuing education, and supervision
5 requirements. A dental health aide, including a dental health aide
6 therapist, is subject to any service limitations provided by the Indian
7 health care improvement act (25 U.S.C. Sec. 16161). A dental health
8 aide, including a dental health aide therapist, is also subject to any
9 applicable limitations written by the supervising dentist of the dental
10 health aide in standing orders.

11 (3) A dental health aide, including a dental health aide therapist,
12 employed or contracted to perform services under this section may do so
13 only in practice settings operated by an Indian health program or an
14 urban Indian organization.

15 (4) For purposes of this section, the terms "Indian tribe," "Indian
16 health program," "tribal organization," and "urban Indian organization"
17 shall have the meaning given them in the Indian health care improvement
18 act (25 U.S.C. Sec. 1603).

19 NEW SECTION. **Sec. 3.** A new section is added to chapter 74.09 RCW
20 to read as follows:

21 The health care authority is directed to coordinate with the
22 centers for medicare and medicaid services to ensure the dental health
23 aide services authorized in section 2 of this act are eligible for
24 maximum federal funding of up to one hundred percent. It is the intent
25 of the legislature to ensure dental health aide services, including
26 those of dental health aide therapists, by Indian tribes, tribal
27 organizations, and urban Indian organizations are eligible for medicaid
28 funding to promote increased dental care access for persons served in
29 these practice settings in accord with the Indian health care
30 improvement act (25 U.S.C. Sec. 16161).

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